

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

JAMES TEAL

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-against-

BRISTOL WEST

INSURANCE COMPANY

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

**Complaint for a Civil Case**

Case No. \_\_\_\_\_  
*(to be filled in by the Clerk's Office)*

Jury Trial: ☒ Yes ☐ No  
*(check one)*

RCVD - USDC COLA SC  
NOV 3 '23 PM4:35

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>J JAMES TEAL</u>
Street Address	<u>2832 TEE PEE TRAIL</u>
City and County	<u>ELGIN-KERSHAW</u>
State and Zip Code	<u>SOUTH CAROLINA, 29045</u>
Telephone Number	<u>803-457-5820</u>

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

**Defendant No. 1**

Name	<u>BRISTOL WEST</u>
Job or Title (if known)	<u>INSURANCE COMPANY</u>
Street Address	<u>P.O. Box 258806</u>
City and County	<u>OAKLAHOMA CITY--OAKLAHOMA</u>
State and Zip Code	<u>OAKLAHOMA 73125</u>
Telephone Number	<u>843-7462100</u>

**Defendant No. 2**

Name	_____
Job or Title (if known)	_____
Street Address	_____
City and County	_____
State and Zip Code	_____
Telephone Number	_____

**Defendant No. 3**

Name	_____
------	-------

Job or Title \_\_\_\_\_  
 (if known)  
 Street Address \_\_\_\_\_  
 City and County \_\_\_\_\_  
 State and Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

Defendant No. 4

Name \_\_\_\_\_  
 Job or Title \_\_\_\_\_  
 (if known)  
 Street Address \_\_\_\_\_  
 City and County \_\_\_\_\_  
 State and Zip Code \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

## II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☐ Federal question

☒ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

### A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

## 3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

FOR 3 YEARS PLAINTIFF HAS SUFFERED MENTALLY AND FINANCIALLY IN THIS MATTER WITH UNCARING BY ALL PARTYS. PLAINTIFF FEELS RELIEF ASKED FOR IS FAIR, CONSIDERING WHAT PLAINTIFF HAS ENDURED WITH A AGGRAVATED PRIOR NECK INJURY.

## III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

TRAFFIC ACCIDENT, PLAINTIFF IMPACTS A STOPPED VEHICLE PLAINTIFF BY ACCIDENT REPORT IS THE LONE CONTRIBUTOR, BUT PLAINTIFF IS NOT GIVEN A CITATION OF WRONG, DEPRIVING DUE PROCESS FOR PLAINTIFF. DEFENDANT SETTELED WITHOUT PLAINTIFFS STATEMENT OF EVENTS, PLACING LIABILITY ON PLAINTIFF, WITH THE SETTLEMENT, WITH THE WRONGDOER. 11-04-20.

## IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

DAMAGE TO PLAINTIFF IS MENTAL ANGUISH, FINANCIAL COSTS INVESTIGATING AND PROCESSING. PHYSICAL PAIN AND SUFFERING WITH A AGGRAVATED PRIOR NECK INJURY. PROPERTY LOSS VEHICLE ESTIMATE \$3,051.00. RELIEF ASKED FOR IS \$125,000.00 ALL WRONGS ALLEGED ARE CONTINUING AT PRESENT.

**V. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: OCT. 30, 2023

Signature of Plaintiff

Printed Name of Plaintiff

James Teal  
James Teal

**B. For Attorneys**

Date of signing: \_\_\_\_\_, 20\_\_.

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

Telephone Number

E-mail Address

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

JAMES TEAL PLAINTIFF

V.

BRISTOL WEST INSURANCE  
COMPANY DEFENDANT

CASE NO:

FAILURE OF DUTY TO  
PROTECT INSURED PLAINTIFF  
JURY TRIAL DEMANDED

COMES NOW, JAMES TEAL, COMPLAINING OF THE DEFENDANT, ABOVE NAMED AND WOULD SHOW UNTO THE COURT, RESPECTFULLY THE FOLLOWING.

1. PLAINTIFF IS A SOUTH CAROLINA RESIDENT.
2. DEFENDANT IS A COMPANY FROM THE STATE OF OKLAHOMA, DOING BUSINESS IN RICHLAND COUNTY.
3. PURSUANT TO DIVERSITY, DEFENDANT IS SUBJECT TO THE JURISDICTION OF THIS COURT AND VENUE IS PROPER IN RICHLAND COUNTY.

STATEMENT OF CLAIM

EARLY MORNING, PLAINTIFF ENTERING INTERSECTION FOR MERGING TO A 4 LANE. PLAINTIFF IMPACTED A STATIONARY VEHICLE, WITHOUT ALERT LIGHTS DISPLAYED. PLAINTIFF WAS NOT GIVEN A CITATION OF OF WRONG, REQUIRED BY STATE LAW, FOR DUE PROCESS, BRINGING IN THE BILL OF RIGHTS AND THE SECURITY OF THE 14TH AMENDMENT.

PLAINTIFF CHARGES DEFENDATE WITH FAILURE OF A REASONABLE DUTY OF CARE FOR PROTECTION OF INSURED PLAINTIFF. DEFENDANT DID NOT CONFER WITH PLAINTIFF FOR 7 DAYS AFTER INCIDENT.

DEFENDANT SETTLED WITH THE WRONGDOER WITHOUT KNOWING FACTS OF INCIDENT. STATIONARY VEHICLE WAS IN A INTERSECTION FAILING TO OBEY A UNIFORM TRAFFIC CONTROL DEVICE, OBSTRUCTING TRAFFIC WITHOUT ALERT LIGHTS DISPLAYED IN A ABNORMAL SITUATION, WITH A FORESEEABLE HAZARD.

WITH CARELESS ACTIONS OF DEFENDANT NOT PROTECTING INSURED, PLAINTIFFS LIFE HAS BEEN AFFECTED WITH ANGUISH AND DISCORD. WITH PLAINTIFF SUFFERING WITH AN AGGRAVATION OF A PRIOR NECK INJURY, THIS INCIDENT HAS BEEN CLOSE TO A NITEMARE. DEFENDANT IS THE DIRECT CAUSE FOR LIABILITY PLACED ON PLAINTIFF.

1ST CAUSE FOR ACTION, FAILURE TO PROTECT INSURED

1. PLAINTIFF WAS NOT CHARGED WITH A CITATION OF WRONG AND DEFENDANT FAILED TO PROTECT PLAINTIFF.
2. TELEPHONE CALLS TO DEFENDANT, WAS NOT ANSWERED UNTIL 7 DAYS AFTER INCIDENT.
3. ON THE 7TH DAY, PLAINTIFF FINALLY ABLE TO CONFER WITH THE DEFENDANT, ONLY TO FIND DEFENDANT HAD SETTLED WITH THE WRONGDOER, QUICKLY WITH NO FACTS OF THE INCIDENT, FROM PLAINTIFF. EXHIBIT 1, RELEVANT WITNESS, TELEPHONE RECORD.
4. WITH DEFENDANT SETTLING, PLAINTIFF ALLEGES DEFENDANT DID SIDE WITH THE WRONGDOER AND NOT PROTECTING INSURED PLAINTIFF.
5. THE WRONGDOER DID FAIL THE PUBLIC DUTY OF CARE. STOPPING IN A INTERSECTION, DISOBEYING A HIGHLY VISIBLE TRAFFIC CONTROL DEVICE. EXHIBIT 2, RELEVANT WITNESS, FOIA VIDEO, PHOTOS OF SCENE AND STATUTES OF LAW. TITLE 56-5-950, (A)-(C)-TRAFFIC CONTROL, TITLE 56-5-710, (A)-VIDEO AND PHOTOS. STOPPING IN A INTERSECTION. TITLE 56-5-2530. (1)-(C)-(I)-(J)-(K)-(2)-(D). WITH THESE VIOLATIONS OF WRONG, THE WRONGDOER BREACHED THE PUBLIC DUTY CARE AND WAS DIRECTLY THE CAUSE OF INCIDENT.
6. DEFENDANT, DID NOT INVESTIGATE TO FIND THE "ROOT CAUSE," OR THE CONTRIBUTING FACTORS, CREATING THIS INCIDENT.
7. DEFENDANT OWED A DUTY OF CARE TO INSURED PLAINTIFF. WITH RECKLESS DISREGARD OF FAULT, DEFENDANT DID FAIL THE DUTY OF CARE.
8. DEFENDANTS, FAILURE OF DUTY OF CARE, WITH ACTION AND NON ACTION, DID CREATE ADVERSE ACTIONS AGAINST PLAINTIFF.

2ND CAUSE FOR ACTION, INJURIES AND PROPERTY LOSS

WITH ABNORMAL INCIDENT AND THE DEPRIVING OF RIGHTS TO CHALLENGE THIS OCCURRENCE IN STATE COURT, REQUIRED BY SOUTH CAROLINA CODE, UNIVERSAL CITATION, TITLE 56-7-10(A). WITH OUT A CITATION OF WRONG TO PROTECT PLAINTIFF, A STATE OF MENTAL ANGUISH CAME INTO PLAINTIFFS LIFE. ALONG WITH THE SUFFERING OF NOT KNOWING WHAT TO DO TO PROTECT ONES SELF, CAME THE STEADY PAIN OF A PRIOR GREAT BODILY INJURY TO PLAINTIFFS NECK, WITH INCIDENT, AGGRAVATING PLAINTIFFS INJURED NECK WITH ENTENCE PAIN.

PROPERTY LOSS IS ESTIMATED AT \$3,051.00

CONCLUSION

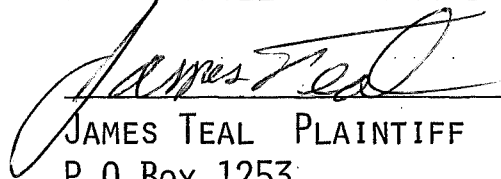
DEFENDANT SETTELING AND SIDING WITH THE WRONGDOER, DEFENDANT DID HELP THE DEPRIVING OF RIGHTS FOR PLAINTIFF AND DEFENDANT HELPED TO BUILD A PLATFORM OF DENIAL FOR THE WRONGDOER.

WITH DEFENDANT INVESTIGATING THIS INCIDENT, DEFENDANT WOULD HAVE FOUND THE WRONGDOERS RESIDENCE WAS AJACENT TO ACCIDENT SCENE. PLAINTIFF ALLEGES THE WRONGDOER WOULD HAVE KNOWN THIS INTERSECTION OF INCIDENT.

PLAINTIFF KNOWS AND ALLEGES THE WRONGDOER PRE-PLANNED THIS ABNORMAL HAZORD FOR A INSURANCE PAY OUT. PLAINTIFF ALLEGES THE WRONGDOERS "TRICK PLAN," WAS A QUICK FIX, FOR DEFENDANT AND THE WRONGDOER.

DATE: Nov:03-23

RESPECTFULLY SUBMITTED

  
JAMES TEAL PLAINTIFF  
P.O.Box 1253  
ELGIN, S.C. 29045  
(803-4575820)